



TELEPHONE 512/474-5555
FACSIMILE 512/536-3085

WRITER'S INTERNET ADDRESS:
RHANSON@FULBRIGHT.COM

WRITER'S DIRECT DIAL NUMBER:
512/536-3085

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FULBRIGHT & JAWORSKI L.L.P.

A REGISTERED LIMITED LIABILITY PARTNERSHIP
600 CONGRESS AVENUE, SUITE 2400
AUSTIN, TEXAS 78701

1638

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FILE: DEKA:276US
10026977

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Commissioner for Patents
Washington, DC 20231

RE: SN 09/772,520 "PLANTS AND SEEDS OF CORN VARIETY I026458" - Francis L. Garing; Client Ref. [34-63(52321)]

Commissioner:

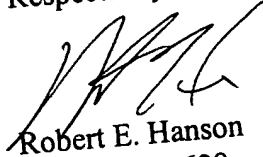
Enclosed for filing in the above-referenced patent application is:

- (1) A Preliminary Amendment with Appendix A - Marked-Up Version of Amended Claims and Appendix B - Clean Copy of Pending Claims Following Entry of the Instant Amendment; and
- (2) A return postcard to acknowledge receipt of these materials. Please date stamp and mail this postcard.

Should any fees under 37 C.F.R. §§ 1.16 to 1.21 be required for any reason relating to the enclosed materials, the Commissioner is authorized to deduct said fees from Fulbright & Jaworski L.L.P. Account No.: 50-1212/10026977/10056.

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March 19, 2002
Page 2

Respectfully submitted,



Robert E. Hanson
Reg. No. 42,628

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Encl.: As noted



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PATENT 4/4/02

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In re Application of:

Francis L. Garing

Group Art Unit: 1638

APR 01 2002

Serial No.: 09/772,520

Examiner: Unknown

TECH CENTER 1600/2900

Filed: January 29, 2001

Atty. Dkt. No.: DEKA:276US/REH

For: PLANTS AND SEEDS OF CORN
VARIETY I026458

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03/19/02 Date	 Robert E. Hanson

PRELIMINARY AMENDMENT

Hon. Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the application as indicated below.

In the Claims:

Please amend claims 1, 2, 5, 14-15, 17, 20-22 and 30-31 as follows:

- A1
1. (Amended) A seed of the corn variety I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.
 2. (Amended) A population of seed of the corn variety I026458, wherein a sample of the seed of the corn variety I026458 was deposited under ATCC Accession No. PTA-3228.